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DETRICT COURT
DISTRICT COURT
DISTRICT CF NEBRASKA

NOV 2 0 2005

OFFICE OF THE CLERK (1657)

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

OCT 3 1 2006

FILED CLERK'S OFFICE

8:06e4633

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION BOOK ST

8:06CV 652 8:06CV 652

IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

(SEE ATTACHED SCHEDULE)

4:06CN3930 4:06CN3930

4:0KV323;

CONDITIONAL TRANSFER ORDER (CTO-71)

4:00013934

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,677 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the <u>Rules of Procedure of the Judicial Panel on Multidistrict Litigation</u>, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Jeffery N. Lüthi

Offerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

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CLERK'S OFFICE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

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SCHEDULE CTO-71 - TAG-ALONG ACTIONS DOCKET NO. 1657 IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

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ALABAMA MIDDLE		
ALM 2 06-866	Jimmy R. Jackson, Sr., et al. v. Merck & Co., Inc.	
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ALABAMA NORTHERN		
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ALN 2 06-1968	Beverly Kelly v. Merck & Co., Inc.	
ALN 2 06-1969	Terrell Palmore v. Merck & Co., Inc.	
ALN 2 06-1970	Dorothy Arwood v. Merck & Co., Inc.	
ALN 3 06-1977	Anna Baugher, et al. v. Merck & Co., Inc.	
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ALS 1 06-609	Georgina Nelson, et al. v. Merck & Co., Inc.	
ADICANICA CHECATA		
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ARW 3 06-3061 ARW 4 06-4086	Lynne Carlson v. Merck & Co., Inc.	
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AZ 2 06-2327	Terrance Law v. Merck & Co., Inc.	
AZ 2 06-2328	Patricia Sovacool, et al. v. Merck & Co., Inc.	
AZ 2 06-2329	Jamal Daiza v. Merck & Co., Inc.	
AZ 2 06-2330	Rose Soto, et al. v. Merck & Co., Inc.	
AZ 4 06-505	Brenda Maley v. Merck & Co., Inc.	
AZ 4 06-506	Mary Lou Amarillas, et al. v. Merck & Co., Inc.	
AZ 4 06-507	Olivia L. Encinas, et al. v. Merck & Co., Inc.	
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AZ 4 06-509	Richard A. Naas, et al. v. Merck & Co., Inc.	
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CAC 2 06-6199	Bonita A. Garcia-Deleon, et al. v. Merck & Co., Inc.	
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CAC 5 06-1055	Linda Davis v. Merck & Co., Inc.	
CALIFORNIA EASTERN		
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CALIFORNIA SOUTHERN		
CAS 3 06-2115	Denise Radovan-Alfonso v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2116	Francisco Silva v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2117	Maria Santiago v. Merek & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2118 ———————————————————————————————————	James Rhodes v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2119	Mark Williams v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2121	Vickie Brendel v. Merek & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2122	Perseveranda Smith v. Merek & Co., Inc., et al.	Opposed 11/16/06
	Fred Black, Sr. v. Merck & Co., Inc., et al.	Opposed 11/16/06

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CAS 3 06-2124	Jean Cardinal-McQuery v. Merck & Co., Inc., et al. Bella Jacobs v. Merck & Co., Inc., et al.	Opposed 11/16/06
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CAS 3 06-2126	Patricia Martinez v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2127 —	Patricia May Hilliard v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2128	Jan Schmidt v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2129	Steven Hampton v. Merek & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2130	Jean McNeese v. Merck & Co., Inc., et al.	Opposed 11/16/06
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CAS 3 06-2132 	Augustin Hernandez v. Merck & Co., Inc., et al.	Opposed 11/16/06
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CAS 3 06-2136	Dolores Lloyd v. Merck & Co., Inc., et al.	Opposed 11/16/06
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CAS 3 06-2159	Winifred Morris v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2160 —	Darnell Hudson v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2161	Viola Kremer v. Merek & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2163	Marietta Orpilla v. Merek & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2164	Joyce Perfetto v. Merck & Co., Inc., et al.	Opposed 11/16/06
CAS 3 06-2165 CAS 3 06-2166	Aminch Younis v. Merck & Co., Inc., et al.	Opposed 11/16/06
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FLM 8 06-1806	Louise M. Griffin, etc. v. Merck & Co., Inc., et al.	0
	The state of the s	Opposed 11/16/06
FLORIDA SOUTHERN		
FLS 0 06-61450	Cheryl D. Ailer, et al. v. Merck & Co., Inc.	
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GAN 1 06-2346	Elmer G. Cleveland, et al. v. Merck & Co., Inc.	
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111 1 06-543	John R. McClelland, et al. v. Merck & Co., Inc., et al.	Opposed 11/14/06

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MN 0 06-3888	Lois Armstrong, et al. v. Merck & Co., Inc.	
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MOE 4 06-1435 —	Velva Trammel, et al. v. Merck & Co., Inc.	Opposed 11/16/06
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	3	06-4658	Charles Evans, et al. v. Merck & Co., Inc.
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	06-2372	Jimmy H. Poindexter, et al. v. Merck & Co., Inc.
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Mikyl Hines v. Merck & Co., Inc.

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INVOLVED JUDGES LIST (CTO-71) DOCKET NO. 1657 IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

Hon. William M. Acker, Jr. Senior U.S. District Judge 481 Hugo L. Black U.S. Courthouse 1729 5th Avenue, North Birmingham, AL 35203-0065

Hon. John R. Adams U.S. District Judge 570 U.S. Courthouse & Fed. Bldg. Two South Main Street Akron, OH 44308

Hon. Robert R. Armstrong, Jr. U.S. Magistrate Judge 274 Hugo L. Black U.S. Courthouse 1729 5th Avenue, North Birmingham, AL 35203

Hon. Harold Baer, Jr. Senior U.S. District Judge 2230 Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street New York, NY 10007-1312

Hon. Harry F. Barnes U.S. District Judge P.O. Box 1735 El Dorado, AR 71731

Hon. Joseph F. Bataillon Chief Judge, U.S. District Court 3259 Roman L. Hruska U.S. Courthouse 111 South 18th Plaza Omaha, NE 68102

Hon. Timothy C. Batten, Sr. U.S. District Judge 1756 Richard B. Russell Fed. Bldg. & United States Courthouse 75 Spring Street, SW Atlanta, GA 30303-3309

Hon. Monti L. Belot U.S. District Judge 111 U.S. Courthouse 401 North Market Street Wichita, KS 67202 Hon. Roger T. Benitez
U.S. District Judge
4145 Edward J. Schwartz
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Hon. Dee V. Benson Chief Judge, U.S. District Court 264 Frank E. Moss U.S. Courthouse 350 South Main Street Salt Lake City, UT 84101

Hon. Richard M. Berman
U.S. District Judge
650 Daniel Patrick Moynihan
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New York, NY 10007-1312

Hon. Susan Ritchie Bolton U.S. District Judge 522 Sandra Day O'Connor U.S. Courthouse, SPC 50 401 West Washington Street Phoenix, AZ 85003-2153

Hon. Christopher A. Boyko U.S. District Judge United States District Court 15B Carl B. Stokes United States 801 West Superior Avenue Cleveland, OH 44113

Hon. David C. Bramlette Senior U.S. District Judge P.O. Drawer 928 Natchez, MS 39121

Hon. Rudi M. Brewster Senior U.S. District Judge 4165 Edward J. Schwartz-U.S. Courthouse 940 Front Street San Diego, CA 92101-8902

Hon. Leonie M. Brinkema U.S. District Judge Albert V. Bryan U.S. Courthouse 401 Courthouse Square 6th Floor Alexandria, VA 22314-5799 Hon. Garrett E. Brown, Jr. Chief Judge, U.S. District Court 4050 Clarkson S. Fisher Federal Building & U.S. Courthouse 402 East State Street Trenton, NJ 08608-1507

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50 Walnut Street, 4th Floor
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Hon. U. W. Clemon Chief Judge, U.S. District Court 882 Hugo L. Black U.S. Courthouse 1729 Fifth Avenue North Birmingham, AL 35203-2000 Hon. Robert J. Conrad, Jr. Chief Judge, U.S. District Court United States District Court 235 Charles R. Jonas Federal Building 401 West Trade Street Charlotte, NC 28202

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Hon. Alfred V. Covello Senior U.S. District Judge Abraham Ribicoff Federal Building & U.S. Courthouse 450 Main Street Hartford, CT 06103

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Hon. Michael J. Davis U.S. District Judge 14E U.S. Courthouse 300 South Fourth Street Minneapolis, MN 55415

Hon. Ira DeMent Senior U.S. District Judge P.O. Box 2149 Montgomery, AL 36102-2149 Hon. David S. Doty Senior U.S. District Judge 14W U.S. Courthouse 300 South Fourth Street Minneapolis, MN 55415

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Hon. Claire V. Eagan Chief Judge, U.S. District Court 411 Page Belcher Federal Bldg. & U.S. Courthouse 333 West Fourth Street Tulsa, OK 74103

Hon. Peter C. Economus U.S. District Judge 313 Fed. Bldg. & U.S. Courthouse 125 Market Street, Room 313 Youngstown, OH 44503

Hon. Keith P. Ellison U.S. District Judge Bob Casey U.S. District Court 515 Rusk Street, Room 8631 Houston, TX 77002

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Hon. James L. Foreman Senior U.S. District Judge 740 U.S. Courthouse 301 West Main Street Benton, IL 62812 Hon. Donovan W. Frank U.S. District Judge 738 Warren E. Burger Federal Bldg. 316 North Robert Street St. Paul, MN 55101

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U.S. District Judge
United States District Court
C-435 Prince Kuhio Federal Bldg:
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Hon. Sam Sparks U.S. District Judge 100 U.S. Courthouse 200 West Eighth Street Austin, TX 78701

Hon. Brian T. Stewart U.S. District Judge 148 Frank E. Moss U.S. Courthouse 350 South Main Street Salt Lake City, UT 84101

Hon. Hilda G. Tagle U.S. District Judge Federal Building & U.S. Courthouse #306 600 East Harrison Street Brownsville, TX 78520

Hon. Alvin W. Thompson U.S. District Judge Abraham Ribicoff Federal Building & U.S. Courthouse 450 Main Street Hartford, CT 06103

Hon. Anne E. Thompson Senior U.S. District Judge 4000 Clarkson S. Fisher Federal Building & U.S. Courthouse 402 East State Street Trenton, NJ 08608-1507

Hon. Ralph G. Thompson Senior U.S. District Judge 3301 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102 Hon. Lacy H. Thornburg U.S. District Judge 200 U.S. Courthouse 100 Otis Street Asheville, NC 28801-2611

Hon. John R. Tunheim U.S. District Judge 13E U.S. Courthouse 300 South Fourth Street Minneapolis, MN 55415

Hon. James C. Turk U.S. District Judge Richard H. Poff Federal Bldg. 246 Franklin Road, S.W. Roanoke, VA 24011

Hon. Ursula M. Ungaro-Benages U.S. District Judge Federal Courthouse Square 301 North Miami Avenue Miami, FL 33128-7788

Hon. Warren K. Urbom Senior U.S. District Judge 507 Robert V. Denney U.S. Courthouse 100 Centennial Mall North Lincoln, NE 68508

Hon. Richard L. Voorhees U.S. District Judge 250 Charles Jonas Federal Building 401 West Trade Street Charlotte, NC 28202

Hon. Kathryn H. Vratil U.S. District Judge 511 Robert J. Dole U.S. Courthouse 500 State Avenue Kansas City, KS 66101-2400

Hon. John F. Walter U.S. District Judge 176 United States Courthouse 312 North Spring Street Los Angeles, CA 90012-4701

Hon. Horace T. Ward Senior U.S. District Judge Richard B. Russell Federal Bldg. & U.S. Courthouse, Room 2388 75 Spring Street, S.W. Atlanta, GA 30303

Page 6 of 6

Hon. Herman J. Weber Senior U.S. District Judge 801 Potter Stewart U.S. Courthouse 100 East Fifth Street Cincinnati, OH 45202

Hon. Lesley Brooks Wells Senior U.S. District Judge 328 Howard M. Metzenbaum U.S. Courthouse 201 Superior Avenue Cleveland, OH 44114

Hon. Kimberly E. West U.S Magistrate Judge United States District Court P.O. Box 2999 Muskogee, OK 74402

Hon. Lee R. West Senior U.S. District Judge 3001 U.S. Courthouse 200 N.W. 4th Street Oklahoma City, OK 73102

Hon: Thomas J. Whelan **U.S. District Judge** 3155 Edward J. Schwartz U.S. Courthouse 940 Front Street, Suite 3155 San Diego, CA 92101

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Hon. Douglas P. Woodlock U.S. District Judge 4110 John Joseph Moakley U.S. Courthouse One Courthouse Way Boston, MA 02210-3002

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INVOLVED CLERKS LIST (CTO-71) DOCKET NO. 1657 IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

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